

III. Amendments to the Drawings

Replacement sheets 1 and 2 of the drawings, which include changes to Figures 1, 2 and 3 are attached.

Specifically, Figure 1 was amended to add a weight sensor 59 onto seat 12. This amendment is in response to an objection that the weight sensor of claim 5 must be shown or the feature cancelled from the claim. Accordingly, Applicants' believe that this amendment has cured the respective objection.

Figure 2 was amended to show that the leader line of reference number 26 touches an inwardly directed lip and reference number 2 was modified by changing the leader line to an arrow. These amendments were in response to an objection that the reference number 2 should either touch the track or have an arrow and the leader line for reference number 26 should touch an inwardly directed lip as described in paragraph [0037], line 4. Accordingly, Applicants believe these amendments have cured the respective objections.

Figure 3 was amended to show that the controller 42 is connected to interface 43 and the lead line for reference 62 was modified so that it touched the squib. These amendments were in response to objections that the controller 42 was not illustrated as being connected to interface 43 and that the reference number 62's lead line did not touch the squib. Accordingly, Applicants believe these amendments have cured the respective objections.

IV. Remarks

Claims 1-18 were pending in this application. The present amendment withdraws claim 2, and amends claim 1 and 3-18 to more particularly point out and clarify Applicants' invention. No new matter has been added by the present amendment. After this amendment, claims 1 and 3-18 will be pending. Reconsideration of the application in view of the following remarks is respectfully requested.

New Oath or Declaration

A new declaration and power of attorney are being submitted with this reply. The declaration and power of attorney are being submitted in response to an objection that the prior submitted declaration was defective. Accordingly, Applicants believe that this new submission has cured the respective objection.

Rejections under 35 U.S.C. § 112

Claims 1-18 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention.

Claim 1 has been amended to recite that the first communication channel includes a first system. The safety arrangement further comprises a second communication channel having a third part on the vehicle and a fourth part on the seat which provides communication to the control unit. At least a part of the second communication channel is a wireless link between the third

and fourth parts. The second communication channel includes a second system for determining the presence of the seat in the vehicle. This amendment was in response to an objection that claim 1 recited a communication channel which was a double inclusion of one of the first and second systems for providing a signal.

Claim 3 was amended to recite that the safety device is one of an air-bag and a safety-belt pre-tensioner. This was in response to an objection that claim 3 recited an air-bag or a safety-belt pre-tensioner which is an indefinite alternative recitation.

Claim 7 was amended to recite that the second system includes a passive arrangement. The passive arrangement includes a sense element provided on the seat defining the forth part, a sensor on the vehicle defining the third part, and a lead connected to the control unit and extending to the sensor. The sensor is configured to sense the sense element. This was in response to an objection that claim 7 was not clear in what was included by the recitation of a "passive arrangement".

Claim 8 was amended to recite that the sensor is a switch and a sense element is a feature on the seat that engages the switch when the seat is present in the vehicle. This was in response to an objection that claim 8 recited "micro-switch" which is indefinite.

Claim 18 has been amended to recite that the seat is mounted on at least one elongated track unit mounted on the vehicle with at least one of the first communication channel and the second communication channel passing along the track unit. This was in response to an objection that the recitation of

claim 8 “at least one elongated track units” should be “at least one elongated track unit”, and that there was no antecedent basis for “at least one of the communication channels”. Accordingly, Applicants believe that the amendments discussed in the foregoing paragraphs have cured the 35 U.S.C. § 112, second paragraph, rejections of claims 1-18.

Rejections under 35 U.S.C. § 103

Claims 1-4, 6-7, 14-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over UK Patent No. 2,327,914 (“UK ‘914”) in view of U.S. Patent No. 5,838,233 issued to Hawes (“Hawes”). Applicants have withdrawn claim 2 by this response and therefore, the rejection of claim 2 is now moot. The rejection of claims 1, 3-4, 6-7, and 14-18 are traversed.

Amended independent claim 1 recites that the safety arrangement includes a first communication channel having a first part on the vehicle and a second part on the seat that provides communication between the control unit mounted on the motor vehicle to the safety element provided on the seat. The safety arrangement further includes a second communication channel having a third part on the vehicle and a fourth part on the seat providing communication to the control unit.

UK ‘914 discloses a safety arrangement for use in a motor vehicle. The safety arrangement comprises rail means 7 provided on the floor 8 of the vehicle and a vehicle seat 1 movably mounted on the rail means 7. The rail means 7 is associated with one of or more transmitting antennas 9 and the seat is associated with one or more receiving antennas 10. The safety

arrangement further includes a means to supply a signal to at least one transmitting antenna 9 to transfer power to at least one receiving antenna 10. On the seat is a safety device 4. Actuating means is provided to use the power transferred to the receiving antenna 10 that actuates the safety device. The safety device may be an air-bag or a pre-tensioner. Abstract of UK '914. However, as noted by the Examiner, UK '914 does not disclose a second communication channel including a second system which is separate from the first communication channel for determining the presence of the seat in the vehicle and for providing a signal indicative of the presence of the seat in the vehicle to a control unit.

Hawes discloses a rearwardly facing infant seat 10 disposed on a passenger seat 12 of the vehicle. The infant seat 10 is positioned such that the deploying passenger side air-bag 20 would impact against the infant seat 10 if the air-bag is deployed, possibly causing injury to the infant seated in the infant seat. A first transponder in the form of a first LC tag 30 is disposed in the infant seat 10 near the front edge of the seat and in proximity to a driver/reader circuit 32 disposed in the passenger seat 12. The first LC tag 30 is configured to communicate to the driver/reader circuit 32 which interfaces with a signal generator 52 so as to foreclose the possibility of the air-bag deploying and injuring the child when the child seat is positioned accordingly.

In one embodiment, a redundant second transponder in the form of a second LC tag 34 may be disposed in the infant seat 10 proximate the same driver/reader circuit 32 disposed in the seat. "It will be understood that the second LC tag 34 will be in proximity to driver/reader circuit 32." *Hawes* at

col. 2, lines 23-57 and figure 1. Thus, the first and second LC tags 30 and 34 must be disposed near the same driver/reader circuit 32 so as to provide communication to the signal generator 52.

As can be seen from above, the redundant LC tags 30 and 34, disposed in the child seat, communicate to the signal generator 52 through a single communication channel via the driver/reader circuit 32 disposed in the passenger seat 12 and proximate tags 30 and 34. Accordingly, the single communication channel of Hawes has a first and a second part 30 and 34 in the infant seat and only a single third part 32 in the passenger seat 12 of the vehicle which must be located proximate to the parts 30 and 34 in order to provide communication to the signal generator 52.

Neither UK '914 nor Hawes independently or in combination, disclose, teach or suggest the present invention recited in independent claim 1. More specifically, neither UK '914 nor Hawes disclose, teach or suggest a safety arrangement for a motor vehicle including a first communication channel having a first part on the vehicle and a second part on the seat for providing communication between a control unit mounted on the vehicle to the safety element provided on the seat and a second communication channel having a third part on the vehicle and a fourth part on the seat providing communication to the control unit. Moreover, Hawes discloses only a redundant system, whereas Applicants' invention includes two communication channels which perform uniquely distinct functions as well as overlapping redundant functions. Specifically, Applicants' first communication channel communicates between a control unit mounted on the vehicle and to a safety element provided on the

seat, whereas the second communication channel communicates with the control unit. In that both UK '914 and Hawes lack the noted element of claim 1, the rejection based thereon should be withdrawn. Accordingly, Applicants believes claim 1 and its dependent claims 3-4, 6-7, and 14-18 are in a condition for allowance.

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over UK '914, Hawes and further in view of U.S. Patent No. 5,696,409 issued to Handman ("Handman"). Applicants respectfully traverses this rejection.

Since claim 5 is dependent on claim 1 and since Handman fails to disclose a second communication channel having a third part on the vehicle and a fourth part on the seat providing communication to the control unit, the combination of UK '914, Hawes, and Handman cannot render the claim of the present invention as obvious. The rejection under § 103(a) is therefore improper and should be withdrawn.

Claims 8-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over UK '914, Hawes, and further in view of U.S. Patent No. 5,804,887 issued to Holzapfel ("Holzapfel"). Applicants respectfully traverses this rejection.

Since claims 8-9 depend on claim 1 and since Holzapfel fails to disclose a second communication channel having a third part on the vehicle and fourth part on the seat providing communication to the control unit, the combination of UK '914, Hawes, and Holzapfel cannot render the claims of the present invention as obvious. The objection under § 103(a) is therefore improper and should be withdrawn.

Claims 10-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over UK '914, Hawes, and further in view of U.S. Patent No. 5,570,903 issued to Neister ("Neister"). Applicants respectfully traverses this rejection.

Since claims 10-13 depend on claim 1 and since Neister fails to disclose a second communication channel having a third part on the vehicle and fourth part on the seat providing communication to the control unit, the combination of UK '914, Hawes, and further in view of Neister cannot render the claims of the present invention as obvious. The rejection under § 103(a) is therefore improper and should be withdrawn.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

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Date

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